

AGENDA MEMO

CITY COUNCIL MEETING OF: OCTOBER 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-35243 - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC - OWNER: FERRIS INVESTMENTS, INC

**** CONDITIONS ****

The Planning Commission (5-0-1/vq vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Off-Premise Sign use.
2. Conformance to the conditions for Variance (V-26-88).
3. This **Variance** shall be reviewed in 3 years at which time the City Council may require the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign is removed.
4. All of the supporting structure shall be repainted, as required by the Planning and Development Department, within 30 days of final approval of this review by the City Council. Failure to perform the required painting may result in fines and/or removal of the Off-Premise Sign.
5. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.
6. If the existing off-premise sign is voluntarily demolished, this Variance (V-26-88) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
7. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Review for a previously approved Variance (V-0026-88) allowed a 65-foot tall, 14-foot by 48-foot Off-Premise Sign to continue at 2000 Highland Avenue. The sign is located on, and surrounded by, parcels zoned M (Industrial) and used for offices and contractor's yards. There is no adverse impact regarding the continued use of the billboard, as there have been no significant changes in development or land use in the surrounding area; staff is recommending denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
02/24/82	A deed was recorded for change of ownership.
06/15/88	The City Council approved a Variance (V-26-88) which allowed a 14-foot by 48-foot Off-Premise Advertising Sign to a height of 65-feet where 40-feet is the maximum height allowed. The Board of Zoning Adjustment recommended denial of the request.
07/21/93	The City Council approved a required Five Year Review for the Variance [V-26-88(1)] which allowed a 14-foot by 48-foot Off-Premise Sign to a height of 65-feet where 40-feet is the maximum height allowed.
04/16/03	The City Council approved a required Five Year Review of an approved Variance [V-0026-88(2)] which allowed a 14-foot by 48-foot Off-Premise Sign at a height of 65-feet where 40-feet is the maximum height allowed at 2002 Highland Avenue. The Planning Commission recommended approval of the request.
06/01/05	The City Council approved a Required Two Year Review of an approved (V-26-88) which allowed a 14-foot by 48-foot Off-Premise Sign at a height of 65-feet where 40-feet is the maximum height allowed at 2002 Highland Avenue. The Planning Commission recommended approval of the request.
05/17/06	The City Council approved a request for a General Plan Amendment (GPA-9219) to change the future land use designation to commercial, mixed use, industrial or public facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval of the request.

09/05/07	The City Council approved a required Two Year Review of an approved Required Review [V-26-88(2)] which allowed a 14-foot by 48-foot Off-Premise Sign at a height of 65-feet where 40-feet is the maximum height allowed at 2002 Highland Avenue. The Planning Commission recommended approval of the request.
09/10/09	The Planning Commission voted 5-0-1/vq to recommend APPROVAL (PC Agenda Item #14/ao).
<i>Related Building Permits/Business Licenses</i>	
01/01/51	A business license (#C11-00791) was issued for a contractor at 2002 Highland Avenue. The permit was reclassified and issued on 03/28/03.
08/21/09	A building permit (#144843) was issued for a billboard sign at 2000 Highland Avenue. The permit was finalized on 08/26/09.
<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nor was one conducted.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one conducted.	
<i>Field Check</i>	
08/06/09	Staff conducted a field check of the subject site with the following observations: <ul style="list-style-type: none"> • The subject billboard had no embellishments, animated signage, or electronic displays and the sign faces appeared in good condition. • All the structural elements have been properly secured.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.3 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Contractor's Plant Shop & Storage Yard	LI/R (Light Industry/ Research)	M (Industrial)
North	Contractor's Plant Shop & Storage Yard	LI/R (Light Industry/ Research)	M (Industrial)
South	Contractor's Plant Shop & Storage Yard	LI/R (Light Industry/ Research)	M (Industrial)
East	Offices	LI/R (Light Industry/ Research)	M (Industrial)
West	U.S. 95 Right-of-Way	U.S. 95 Right-of-Way	U.S. 95 Right-of-Way

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
Las Vegas Redevelopment Plan	X		Y
A-O Airport Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located within a public right of-way	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only	Sign is located within an M (Industrial)	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign has a surface area of 672 square feet	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	The sign is 65-feet tall per approved Variance (V-26-88)	Y

Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	The structural screening of the Off-Premise Sign does not require repainting to match the structural supports	Y
Distance Separation	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-Premise Sign (if not along US-95)	There is an Off-Premise Sign located within 710 feet of the subject sign.	Y*
Distance Separation	At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.	There are is an "R" zoned district within 277 feet West of the subject sign on the other side of U.S. 95 Public Right-of-Way.	Y*
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	The billboard is permanently secured to the ground. No residential uses are present on the site.	Y

* The Off-Premise Sign is legally nonconforming for distance separation.

ANALYSIS

This is the fifth Required Review of the approved Variance (V-26-88) which allowed a 65-foot tall, 14-foot by 48-foot Off-Premise Sign. The sign is situated on the northern portion of the property and is oriented toward northbound and southbound traffic along Interstate 15. The sign is visible to vehicles travelling north and southbound on Highland Avenue. The site is bounded by interstate 15 to the west and industrially zoned properties to the east, south, and north. The applicant filed for building permits at the time of construction; however, the permits were never finalized. A research of the building permit activity found that permit #144843 was issued on 08/21/09 for a billboard sign under the address of 2000 Highland Avenue, and received a final inspection on 08/26/09. The sign is located in an M (Industrial) zoning district and is not within the Off-Premise Sign Exclusionary zone. There is no adverse impact regarding the continued use of the billboard, as there have been no significant changes in development or land use in the surrounding area.

FINDINGS

The Off-Premise Sign meets Title 19.14.100 requirements, and is in good condition. During a field inspection of the site, the sign and the supporting structure were in good condition with no discrepancies noted. There are no embellishments, staff finds that there is no adverse impact regarding the continued use of the sign; therefore, staff is recommending denial.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions at the Planning Commission Meeting. The Planning Commission changed condition #3 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 143 by City Clerk

APPROVALS 0

PROTESTS 2